

EXHIBIT D

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1 - 65

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, et al,)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL ACTION
)	NO. 97-10052-MLW
HARRY R. LEWIS, et al,)	
)	
Defendant.)	

THE ORAL DEPOSITION OF MARY LOU GIANNASOLI, held pursuant to Notice, and the applicable provisions of the Federal Rules of Civil Procedure, before Lisa Looney, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the United States Attorney's Office, One Courthouse Way, Suite 9200, Boston, Massachusetts, on Wednesday, November 15, 2000, commencing at 10:10 p.m.

BSA

Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(2)

Page 5

[1] PROCEEDINGS
 [2] (10:10 a.m.)
 [3] MARYLOUGIANNASOLI, of 84 Walpole [4]
 Street, 2-C, Canton, MA. 02021, having been sworn by a [5]
 Notary Public to tell the truth, the whole truth and [6] nothing
 but the truth, testified upon her oath as [7] follows:
 [8] REPORTER: Would you state your name for the [9]
 record?
 [10] THE WITNESS: Mary Lou Giannasoli.
 [11] EXAMINATION BY MR. LEVITT:
 [12] Q Did your name used to be Mary Lou Newman?
 [13] A Maiden name.
 [14] Q When did that change?
 [15] A In 19 - 1975.
 [16] Q Do you use the name Mary Lou Newman?
 [17] A Yes.
 [18] Q For what purposes do you use that name?
 [19] A I like it better.
 [20] Q What is your current address?
 [21] A 84 Walpole Street, 2-C, Canton, Mass. 02021.
 [22] Q And your date of birth?
 [23] A Ten, twenty-one, fifty.
 [24] Q And your Social Security number?
 [25] A Zero, one, seven, four, two, six, eight, six, five.

Page 6

[1] Q Okay. Are you--
 [2] (Phone rings.)
 [3] MR. LEVITT: Excuse me. Why don't we go off the [4]
 record.
 [5] (Off the record briefly.)
 [6] MR. LEVITT: Back on the record.
 [7] BY MR. LEVITT:
 [8] Q What's your educational background?
 [9] A Graduated Northeastern University.
 [10] Q That's a college degree?
 [11] A Yes.
 [12] Q Did you have any other educational training after that?
 [13] A Different seminars.
 [14] Q Any particular subjects?
 [15] A Printing.
 [16] Q Excuse me?
 [17] A Printing and purchasing.
 [18] Q Okay. Where do you attend these seminars?
 [19] A Various areas.
 [20] Q In Boston?
 [21] A Some.
 [22] Q Put on by a university?
 [23] A Some.
 [24] Q Well, what universities?
 [25] A BU.

Page 7

[1] Q How often do you attend seminars?
 [2] A Once or twice a year.
 [3] Q You've done that ever since you graduated from
 college?
 [4] A Yes.
 [5] Q How are you currently employed?
 [6] A I'm employed by Vantage Direct Marketing Services.
 [7] Q What is your title?
 [8] A Vice President of Printing & Purchasing.
 [9] Q How long have you held that position?
 [10] A Off and on for 14 years.
 [11] Q When you say, "off and on", what do you mean?
 [12] A I have left twice.
 [13] Q Why did you leave?
 [14] A One by choice, to be a mother.
 [15] Q And the other?
 [16] A I was fired.
 [17] Q When did you leave to become a mother?
 [18] A Well, I should clarify that. I was a mother, but I [19]
 wanted to stay home with them. In 1987.
 [20] Q And how long did you, when did you return to
 Vantage?
 [21] A Approximately a year and a half later.
 [22] Q And when were you fired?
 [23] A August of 1995.
 [24] Q Why were you fired?
 [25] A Personality clashes.

Page 8

[1] Q With whom did you have personality clashes?
 [2] A Dallas Graves.
 [3] Q Can you explain what the personality clash was?
 [4] A I didn't like; he didn't like me.
 [5] Q Was he your boss?
 [6] A Yes.
 [7] Q What was his position?
 [8] A His exact title, I'm not sure.
 [9] Q What was his function?
 [10] A Manager of Vantage Direct Marketing Services.
 [11] Q And you were the Vice President of Printing & [12]
 Purchasing at the time?
 [13] A Yes.
 [14] Q And you reported to the Manager of Direct Marketing
 [15] Services?
 [16] A Yes.
 [17] Q Was Dallas Graves, also, a Vice President?
 [18] A I'm not sure if he was a Vice President or President.
 [19] Q You think he was one or the other?
 [20] A Yes.
 [21] Q Who did Dallas Graves report to?
 [22] A Harry Melikian.
 [23] Q What was, this time frame, August of 1995, what was
 [24] Harry Melikian's position?
 [25] A I'm not sure.

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Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAXO)

Page 9

- [1] Q Do you know what his title was?
 [2] A I'm not sure.
 [3] Q What was his function?
 [4] A He was Financial, General Manager.
 [5] Q General Manager for, for what organization?
 [6] A Vantage Company.
 [7] Q For the Vantage Company?
 [8] A Vantage Group.
 [9] Q When you say that, do, do you mean the umbrella company [10] of--
 [11] MR. LeCLAIR: Objection.
 [12] BY MR. LEVITT:
 [13] Q -Vantage?
 [14] THE WITNESS: Objection?
 [15] MR. LeCLAIR: If you can answer it, go ahead.
 [16] A Vantage Deluxe World Travel and Vantage Direct [17] Marketing Services.
 [18] Q When you say, "General Manager", was he, what do you [19] mean by that?
 [20] A He oversaw various divisions within the company.
 [21] Q Who did Harry Melikian report to?
 [22] A Henry Lewis.
 [23] Q Did Harry Melikian report to anybody other than Henry [24] Lewis?
 [25] A I don't think so.

Page 10

- [1] Q Was Harry Melikian, when you say, "He oversaw the [2] various divisions of Vantage", was it your [3] understanding that he oversaw all of the various [4] divisions?
 [5] MR. LeCLAIR: Objection. You misstated her [6] testimony.
 [7] MR. LEVITT: You can answer. I don't believe I [8] have.
 [9] A Vantage Deluxe World Travel and Vantage Direct [10] Marketing Services.
 [11] Q Were there other divisions of Vantage at the time?
 [12] A I'm not sure.
 [13] Q But Van -- what about Vantage Financial Services?
 [14] A I don't know.
 [15] Q Do you know if there is a organization called Vantage [16] Financial Services?
 [17] A No, I don't.
 [18] Q Have you ever heard the term Vantage Financial Services [19] before?
 [20] A Yes.
 [21] Q And in what context have you heard that?
 [22] A I guess we would say, "Vantage Direct Marketing [23] Services/Vantage Financial Services." It depends on [24] who wants to call it what.
 [25] Q Is it your understanding that Harry Melikian oversaw

Page 11

- [1] Vantage Financial Services and Vantage Direct Marketing [2] Services?
 [3] MR. LeCLAIR: Objection.
 [4] A Vantage Travel and Vantage Direct Marketing Services.
 [5] Q You've, also, testified that Vantage Direct Marketing [6] Services and Vantage Financial Services were the same [7] thing?
 [8] MR. LeCLAIR: Objection.
 [9] A No, I didn't.
 [10] Q Okay. What do you mean when you say that Vantage [11] Financial, you refer to Vantage Financial Services and [12] Vantage Direct Marketing Services, you said, "Well, it [13] depends on how wants to call it what"?
 [14] A I could call it Vantage Deluxe World Travel. I could [15] call it Vantage Travel. I could call it VDMS, Vantage [16] Financial Services. To me it is a travel company and [17] VDMS.
 [18] Q How long did you, when did you return to Vantage after [19] you were fired?
 [20] A In 1996.
 [21] Q When in 1996?
 [22] A I believe February.
 [23] Q Why did you return to Vantage?
 [24] A For a job.
 [25] Q Were you offered a new job?

Page 12

- [1] A I was offered my old job back.
 [2] Q Was Dallas Graves still there at that time?
 [3] A Yes.
 [4] Q Did Dallas Graves offer you your job back?
 [5] A Yes.
 [6] Q Did your relationship with Dallas Graves improve?
 [7] A Somewhat.
 [8] Q What was it that you didn't like about Dallas Graves?
 [9] A His management style.
 [10] Q What was it about his management style that you didn't [11] like?
 [12] A Probably too mild for me.
 [13] Q Can you explain what that means?
 [14] A I'm much more aggressive. He's very, probably more [15] professional, mild-mannered than I am.
 [16] Q Did you have disagreements with him about management [17] issues?
 [18] A My style of management.
 [19] Q Is it fair to say that he didn't like your style of [20] management?
 [21] A Correct.
 [22] Q When you were gone from August of 1995 until February [23] of 1996, who served your function?
 [24] MR. LeCLAIR: Objection.
 [25] A I don't remember. I don't know.

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Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(6)

Page 21

[1] A She left in August, August or September, September of [2] '99.
 [3] Q Do you recall generally how long she had worked at [4] Vantage prior to that?
 [5] A Probably a year.
 [6] Q What was her position then?
 [7] A Production Manager.
 [8] Q So, she was the Production Manager prior to Kim Hynes?
 [9] A Kim Hynes, at that time, was the Creative Director.
 [10] Q Okay. Did Kim Hynes report to you at that time as [11] Creative Director?
 [12] A Yes.
 [13] Q Is there a Creative Director now?
 [14] A Not at the moment.
 [15] Q Will you explain your functions as, in connection with [16] purchasing mailing service and how that works?
 [17] A I have a manufacturing background. So, I seek out [18] various vendors that have the proper equipment for our [19] direct mail needs.
 [20] Q And who are these vendors?
 [21] A I've worked with--
 [22] MR. LEVITT: Well, let me rephrase the question.
 [23] THE WITNESS: Okay.
 [24] MR. LEVITT: I wasn't asking specifically that.
 [25] BY MR. LEVITT:

Page 22

[1] Q What do the, what do the vendors do? What is their [2] function?
 [3] A I insert and pre-sort mail for me and mail it.
 [4] Q When you say that they "insert" mail, what do you mean?
 [5] A Insert the collateral material into a specific [6] envelope.
 [7] Q And what do you mean when you say "pre-sort" mail?
 [8] A Whether it's bulk mail, nonprofit, five digit pre-sort.
 [9] MR. LEVITT: I don't know what "five digit pre- [10] sort" is.
 [11] THE WITNESS: Actually, I don't either.
 [12] A They pre-sort the mail that meets the mail qual - [13] classifications, I guess that's--
 [14] Q When you say that they "pre-sort", can you explain - [15] does that mean that they sort it into different [16] categories?
 [17] A You would give them a mailing list, and they'd break it [18] down to the specific Postal classifications or [19] specifications.
 [20] Q Why don't we do this? If we can run through it with, [21] with respect to a particular client?
 [22] A Okay.
 [23] Q If you could explain to the best of your ability from, [24] sort of the beginning to the end, how the relationship [25] with the, a particular vendor works?

Page 23

[1] For example, what, if you could name a particular [2] vendor that you're currently working with?
 [3] THE WITNESS: Specifically for mailing or--
 [4] MR. LEVITT: Yeah.
 [5] THE WITNESS: --printing or both?
 [6] BY MR. LEVITT:
 [7] Q Do the mailers typically do both the mailing and the [8] printing?
 [9] A No.
 [10] Q Okay. Just the mailer at this point?
 [11] A I print the material. I have it forwarded or shipped [12] to a mail house.
 [13] Q Well, let's backup? When you say that you "print" the [14] material, you have a, a company print the material?
 [15] A I contract printing services.
 [16] Q First, you have to have a client, right?
 [17] A Yes.
 [18] Q Do you work with someone at Vantage who comes to you [19] and tells you we have X client, and we need to do a [20] mailing program for them?
 [21] A I get a print order.
 [22] Q That's your first involvement in--
 [23] A I should backup. A Creative Work Sheet would be first.
 [24] Q And what is that?
 [25] A It would tell me how to design the labels of the cards

Page 24

[1] for an organization, creative wise.
 [2] Q Who do you get the Creative Work Sheet from?
 [3] A A Direct Mail Coordinator.
 [4] Q What's a "Direct Mail Coordinator"?
 [5] A They work in tandem with the Sales staff.
 [6] Q Is that a title, Direct Mail Coordinator?
 [7] A I don't want to be funny but this week.
 [8] Q What are some of the other titles?
 [9] A Account Managers, Sales Associate. Right now it's the [10] Direct Mail Coordinator.
 [11] Q Okay. And the Direct Mail Coordinator or Account [12] Manager or Sales Associate works with a Sales person?
 [13] A Yes.
 [14] Q And together, they have an account, which is a [15] nonprofit or for profit organization?
 [16] A Yes.
 [17] Q How many Direct Mail Coordinators are currently working [18] at Vantage?
 [19] THE WITNESS: I have to ask you to be more [20] specific.
 [21] MR. LEVITT: Okay.
 [22] THE WITNESS: For Travel, Travel and VDMS or just [23] VDMS?
 [24] MR. LEVITT: VDMS.
 [25] A I believe five.

BSA

Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(7)

Page 25

- [1] Q What are their names?
 [2] A Kerry Rawdon, Diego Garcia, Laura Rogers. Three.
 [3] (Pause.)
 [4] A It's Rob. I don't know his last name. He's new.
 [5] Q What does the Direct Mail Coordinator do?
 [6] A They work with the Sales Department doing proposals.
 [7] (Pause.)
 [8] BY MR. LEVITT:
 [9] Q They do proposals to potential clients?
 [10] A Yes.
 [11] Q For direct mail programs?
 [12] A Yes.
 [13] Q What's the difference between a Direct Mail Coordinator [14] and a salesperson? What are their different functions?
 [15] A One sells. The other initiates the program after the [16] deal has been sold.
 [17] Q Is it fair to say that the Direct Mail Coordinator does [18] more of the hands on work once the program has already [19] been put into place?
 [20] A For my involvement with them; yes.
 [21] Q What is your involvement with the Direct Mail [22] Coordinators?
 [23] A They turn over the Creative Sheets to me and a print [24] order.
 [25] Q What are the "Creative Sheets"?

Page 26

- [1] (Pause.)
 [2] A Similar to what we identified as DOJ-18763.
 [3] Q Okay. And this says, "Creative Work Sheet"?
 [5] A Yes.
 [6] Q The Creative, the Direct Mail Coordinator will provide [7] you with a single sheet like this for a customer?
 [8] A Now, it's more enhanced. It's probably three pages [9] now.
 [10] Q And will that already be filled out?
 [11] A Yes.
 [12] Q Who fills it out?
 [13] A Direct Mail Coordinators.
 [14] Q What do you do with the Creative Work Sheet?
 [15] A I review it, give direction to the Creative Department [16] based on specific production guidelines, and my graphic [17] background.
 [18] Q I don't understand that last -- you say, "And my [19] graphic background"?
 [20] A I give them direction if it's a specific organization. [21] If it's, say it was for Vantage Travel. I would tell [22] them that I want a globe. I want a picture of the [23] South Pacific, various things that would have an [24] infinity to the organization.
 [25] Q Well, let's say that it's not a Vantage organization?

Page 27

- [1] A Sure.
 [2] Q Let's say it's Moose International?
 [3] A I would read the creative assignment, figure out who [4] Moose International was, and give direction on what [5] photos, and how I felt the copy should be written based [6] on their appeal.
 [7] Q What would you do to find out what was Moose [8] International--
 [9] A It should be on the Creative Assignment, Creative Work
 [10] Sheet. If it's not, I'd take it back to the Direct [11] Marketing Coordinator and find--
 [12] Q Do you have contact with the non-profit or for profit [13] organizations as well?
 [14] A Very rarely.
 [15] Q Decisions with respect to using your graphic design
 [16] background with respect to what pictures should be used
 [17] or what graphics should be included in a particular [18] program, did you discuss that with anyone?
 [19] A The Direct Mail Coordinator, the Graphic person. [20] That's it.
 [21] Q And you said that you, also, get something else at the
 [22] beginning?
 [23] A A print order.
 [24] Q A print order? Is there a print order in here?
 [25] A No, sir.

Page 28

- [1] Q What's a "print order"?
 [2] A A print order would be the name of the organization, [3] what the mailing schedule should be and what the [4] components of the package is, and any comments. There [5] is a Comment Section.
 [6] Q What's the "Comment Section"?
 [7] A Group fussy. Group wants approval. Things like that.
 [8] Q What do you do with a Creative Work Sheet once
 you're [9] done with it?
 [10] MR. LEVITT: Let, let me rephrase that question.
 [11] BY MR. LEVITT:
 [12] Q When you've got a Creative Work Sheet for a particular
 [13] organization,--
 [14] A Yes.
 [15] Q --Moose International, and it's complete, you filled it [16] out to your satisfaction, what happens next?
 [17] A I put a copy of it in a file folder. After the program [18] is done, I throw it away.
 [19] Q My question is, what happens next to implement the
 [20] program? You've now completed the Creative--
 [21] A After we design the package, we turn it back over to
 [22] the Direct Mail Coordinator. They, in turn, are [23] responsible for getting an approval from the [24] organization.
 [25] Q Who designs the package?

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Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(8)

Page 29

[1] A A Graphic Designer.
 [2] Q You have a Graphic Designer on staff at Vantage?
 [3] A Yes.
 [4] Q Who is that?
 [5] A Aaron Quimby.
 [6] Q How long has Aaron Quimby worked as the Graphic,
 [7] Graphic Designer?
 [8] A Probably a year.
 [9] Q Is that a title—
 [10] A He replaced Kim. I moved Kim to Production Manager,
 [11] and he moved in to the Creative spot.
 [12] Q Is, is that a title, "Graphic Designer"?
 [13] A Graphic Artist, Graphic Designer.
 [14] Q He replaced Kim Hynes?
 [15] A Yes.
 [16] Q Is, is there usually just one person responsible for [17]
 Graphic Design?
 [18] THE WITNESS: For VDMS?
 [19] MR. LEVITT: Yes.
 [20] A Yes.
 [21] Q Does Aaron Quimby report to you?
 [22] A No.
 [23] Q Who does Aaron Quimby report to?
 [24] A He would report to the Creative Director. He did. [25]
 Now, there is a hole there.

Page 30

[1] Q I probably asked you this, but who was the Creative [2]
 Director?
 [3] A Lori Codi.
 [4] Q And when did Lori Codi leave?
 [5] (Pause.)
 [6] A End of September.
 [7] Q How long did she fulfill the position of Creative [8]
 Director?
 [9] A Probably six months. Turnover is high.
 [10] Q Who was the Creative Director prior to Lori, Lori Codi
 [11] becoming—
 [12] A Karen Grey.
 [13] Q How long was she the Creative Director?
 [14] A I don't know.
 [15] Q Let me ask it this way, in the last five years or so, [16]
 has there typically been a person, a position of [17] Creative
 Director, whether filled or unfilled?
 [18] A Yes.
 [19] Q Now, and, also, a Graphic Designer?
 [20] A Yes.
 [21] Q Is there anybody else in that, sort of Creative Graphic
 [22] area?
 [23] A Traffic.
 [24] Q Traffic? What's the Traffic person?
 [25] A Logs in, in everything out of the Creative Department.

Page 31

[1] Q Is this, is this an administrative—
 [2] A Yes.
 [3] Q —position?
 [4] So, there is a Creative Department, which is [5] filled by
 the Creative Director, the Graphic Designer [6] and the Traffic
 person?
 [7] A Yes.
 [8] Q And that department is responsible for all of the [9]
 graphic and creative aspects of, of mailing programs?
 [10] A For Travel and VDMS.
 [11] Q Okay. And you work with the Creative and Graphic [12]
 Department in terms of putting together a Graphic or [13]
 Creative Program for a particular program?
 [14] A Giving them my opinion.
 [15] Q And this is based on the Creative Work Sheet and any
 [16] conversations you might have had with the—
 [17] A Yes.
 [18] Q —Director?
 [19] A Yes.
 [20] Q Your understanding then is that — well, let me ask, [21]
 when the Creative Design Department has put together a [22]
 creative design for a particular program, it comes back [23] to
 you?
 [24] A It goes directly to DMC.
 [25] Q Do you have to approve it first?

Page 32

[1] A The smart ones let me see it.
 [2] Q What happens next in the process?
 [3] A They send it out to the organization.
 [4] Q The DMC?
 [5] A The DMC. For an approval. He either comes back with
 [6] corrections, or they give it to me ready to go to [7] print.
 [8] Q What happens next?
 [9] A I farm it out to the various printers, based on [10]
 whatever component it might be. From there, I do a [11]
 Production Schedule, and give it to the printers and [12] the
 mailers and the DMCs, and off they go.
 [13] Q Do you have contracts with printers for individual [14]
 programs and clients?
 [15] A More for services than individual clients.
 [16] Q Can you explain what you mean?
 [17] A VDMS, we have labels. I have two or three outside [18]
 label vendors; that's specifically what they do.
 [19] I have a greeting card vendor. I have a calendar [20]
 vendor. I have somebody else that does envelopes. I [21] have
 somebody else that does cover letters. I have [22] somebody
 else that does pins, somebody else that does [23] backers for
 the pins.
 [24] There are several different services that I use.
 [25] Q And then depending on the particular program, you go
 to

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Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(9)

Page 33

[1] a particular--
 [2] A Correct.
 [3] Q --vendor to handle it?
 [4] A Correct.
 [5] Q And the printer, the printing vendor--
 [6] A Right.
 [7] Q --then invoices you for whatever work you've done,--
 [8] A Yes.
 [9] Q --they've done for you?
 [10] (Pause.)
 [11] BY MR. LEVITT:
 [12] Q Now, I'd like to have the same discussion with respect
 [13] to the mail house?
 [14] A Okay.
 [15] Q You contract with mail houses?
 [16] A Yes.
 [17] Q How do you arrange those contracts?
 [18] A Depending on what the product line is and their [19]
 capabilities.
 [20] (Pause.)
 [21] THE WITNESS: Should I explain that?
 [22] BY MR. LEVITT:
 [23] Q If you could?
 [24] A If I was doing a calendar, I would have to go to a [25]
 mailer and get polybags.

Page 34

[1] If I was doing greeting cards, I need somebody [2] that has
 a [3] station inserter. Hard to find.
 [4] If I was doing a pin, I need someone that can [5] blister
 pack and insert that package.
 [6] If I was doing labels, I'd have to make sure they [7] had a
 burster as well as inserting equipment.
 [8] Each package, I'd have to make sure that the [9] certain
 mailer had the proper equipment for it.
 [10] Q Do you have, similar to the printers, a batch of mail [11]
 houses that you typically work with?
 [12] A Yes. Depending on the product.
 [13] Q And do you have ongoing contracts with the mail
 houses, [14] or is it simply on a service basis?
 [15] A I send out RFPs at the beginning of the year. We have
 [16] contractual pricing with them. I just give them the [17] print
 order and off they go.
 [18] Q Let me see if I understand. You send out RFPs at the
 [19] beginning of the year to all the mail houses that you [20]
 work with?
 [21] A Every and any mail house. All over the country.
 [22] Q And what do they provide?
 [23] A Their equipment list and pricing based on the different
 [24] services they can offer me.
 [25] Q Do you then contract with particular ones that you
 know [26] you'll need to use, or do you wait until you have an

Page 35

[1] order come in and say--
 [2] A I bring them in. I look at their capabilities. I [3] negotiate
 their prices, and then make some sort of an [4] annual
 commitment to them for the year.
 [5] Q So, you chose a group of mail houses at the beginning
 [6] of--
 [7] A Yes.
 [8] Q --the year?
 [9] A Yes.
 [10] Q Typically, how many?
 [11] A Five or six.
 [12] Q And is that based on having different capabilities?
 [13] A Yes.
 [14] Q And different price schedules?
 [15] A Yes.
 [16] Q And you'll actually have them come in and meet with
 [17] them and negotiate with them?
 [18] A Yes.
 [19] Q Who are the current mail houses?
 [20] A J&R Mailing, Century Mailing, FDI Mailing, Outlook. [21]
 Those are the four I'm using right now.
 [22] Q Does it matter to you where they're located around the
 [23] country?
 [24] A Um-um. No.
 [25] Q Because you send mail all over the country?

Page 36

[1] A It depends where I'm printing the job.
 [2] Q Going back to the story of how a particular program [3]
 would move through the process, once you get a, a [4]
 thumbs up from the DMC on a particular program, the [5]
 graphic design for a particular program, your next step [6] is,
 what again?
 [7] A I put a production schedule together. Depending on
 the [8] quantity, I call the printer or a mailer, "I have [9] 100,000
 pieces that need to be in the mail," and then I [10] put together
 a production schedule, give it back to the [11] coordinator, and
 then they give it to me. Sometimes [12] there is an argument
 about it.
 [13] Q How do you put together a production schedule?
 What [14] factors come into--
 [15] A Time frame, label package takes 30 days. A pin
 package [16] could take them 90 days. A hard package could
 be about [17] 45 days. A calendar, 30, 60 days. It depends on
 the [18] product.
 [19] Q How do you know what the schedule is beforehand?
 [20] A I know the capabilities of equipment. So, I know that
 [21] if it is going to be 100,000, I know how many days it's [22]
 going to take me to label it, how many days it's going [23] to
 take me to laser it, how many days it's going to [24] take me to
 burst it. Then I call just to see who has [25] availability.

BSA

Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(10)

Page 37

- [1] Q Do you, also, know, at this time, whether there is any [2] sort of arrangement between the DMC and the [3] organization for whom the mailing is done as to a [4] schedule?
- [5] THE WITNESS: For a mail date?
- [6] MR. LEVITT: For a mail date or mail dates.
- [7] A The organization can have a Wish List for a date. The [8] DMC can have a Wish List for a date. I give them the [9] real date.
- [10] Q Are there ever, that's the initial date for it to go [11] out?
- [12] A Yes.
- [13] Q For the mailing to go out?
- [14] A Um-hum.
- [15] Q Are there, also, might there, also, be other dates or [16] reminder mailings or anything else?
- [17] A I put together a complete production schedule. The [18] product would be scheduled to mail XYZ date. I hit it [19] 95 percent of the time. A reminder would be 45 days [20] later, and the next reminder would be 45 days later.
- [21] MR. LEVITT: That really isn't my question.
- [22] BY MR. LEVITT:
- [23] Q You decide those dates, is that correct, the reminder [24] dates, based on the production capabilities?
- [25] A It's just a formula. You mail the product, 45

Page 38

- [1] days. The reasoning for it, I don't really know. [2] That's the way it's been setup.
- [3] Q You put together the Production Program; is that what [4] you called it?
- [5] A Production schedule.
- [6] Q Production schedule?
- [7] A Time guidelines, production schedule.
- [8] Q And once that's been, you send it back to the DMC?
- [9] A Yes.
- [10] Q For approval?
- [11] A For a fact.
- [12] Q For a fact. Then what happens?
- [13] A They give it to the salesperson and let the [14] organization know that we either agreed to agree or [15] agree to disagree.
- [16] Q And then what happens?
- [17] A I win.
- [18] Q Well, what, what happens next in the process?
- [19] A We go forward with the program. They put the [20] components on my shelf, and I farm them out to the [21] various vendors.
- [22] Q By "put the components on your shelf", what do you [23] mean?
- [24] A They take the print order. They would attach the label [25] template, or they'd attach the cover letter or the

Page 39

- [1] envelope and put it on my shelf. Then I'd disburse [2] them to the areas.
- [3] Q When you say, +9X "They"?
- [4] A DMCs.
- [5] MR. LEVITT: Okay. So, let me go over that again.
- [6] BY MR. LEVITT:
- [7] Q The DMC provides you with, with what?
- [8] A A direct mail package. Depending on the package, there [9] are several components to it. So, they, if it was a [10] label program, they would give me a print order, and [11] attach the label template.
- [12] If it's an envelope, they'd give me the print [13] order, attach the envelope. I might send an envelope [14] to this guy, and the label guys gets this. The person [15] doing the letters gets this.
- [16] They attach the print order that tells me the [17] quantity of mail, and there I go.
- [18] Q Does the print order, typically, it just says the [19] quantity of the mailing?
- [20] A The name of the organization, the type of program, what [21] the mail dates should be, what the reminder mail date [22] would be, and the second reminder, and what the various [23] components and quantities would be.
- [24] Q Who generates the print order?
- [25] A The Direct Mail Coordinator.

Page 40

- [1] Q When you get this put on your shelf, did you say that [2] you then send, you send it out to different vendors?
- [3] A Yes.
- [4] Q So, one vendor wouldn't do all of the different--
- [5] A No.
- [6] Q --jobs? These are the printing vendors we're talking [7] about?
- [8] A Correct.
- [9] Q Okay. So, is that because different vendors have [10] different capabilities?
- [11] A That's what I said earlier.
- [12] Q Okay.
- [13] A We have a label vendor, an envelope vendor.
- [14] Q Okay.
- [15] A It would be nice to have one vendor.
- [16] Q And then once you send those out, what happens next?
- [17] A I coordinate it with all the outside vendors to make [18] sure it gets to the mail house on time. They have [19] mailing instructions.
- [20] Q "They"?
- [21] A The mail house. On the print order, it says, "Insert [22] three pieces", "Insert four pieces", "Must have [23] insertion approval first." It either has an N or a B, [24] non-profit or bulk.
- [25] Q The, the vendor sends the material directly to the mail

BSA

Depo-USA V Harry Lewis, et al, 97-10052-MLW - Mary Lou Giannasoli - 11/15/00

XMAX(11)

Page 41

[1] house?
 [2] A Correct.
 [3] Q How do you communicate to the vendors what mail house [4] to send it to?
 [5] A I tell them.
 [6] Q Okay.
 [7] A On the bottom of the print order, I might write, "Ship [8] to Century", "Ship to J&R", "Ship to FDI". I write it [9] on there.
 [10] Q Okay.
 [11] A And I speak to them, and we have an e-mail production [12] schedule back and forth.
 [13] Q So, by the time you send it to the vendors, you've [14] already chosen the, the mail house?
 [15] A Correct.
 [16] Q From--
 [17] A Not necessarily I will use them. It could change.
 [18] Q Why might it change?
 [19] A Somebody has a job that has taken more time than they [20] had thought it was going to take. So, I might have to [21] do a juggling act.
 [22] Q One of the mail houses might be busy?
 [23] A Um-hum. Yes.
 [24] Q Going back to the process, when do you chose the [25] particular mail house for a program processing?

Page 42

[1] A In the beginning.
 [2] Q Once you find out what the, what the program is?
 [3] A What the product is, and what the program is.
 [4] Q And then how would you typically chose the mail house [5] in these circumstances?
 [6] A If I was to mail from FDI, I would chose them because [7] they have 13 station inserters. That would be for a [8] card program.
 [9] If I was to do a label program, I do it with, [10] basically, with Century.
 [11] If I was to do a pin package, I do it with J&R. [12] If I have a rush job, I do it with J&R.
 [13] Q And, typically, once you decided which is the [14] appropriate mail house, would you call them at that [15] point and talk to them about it? How would that work?
 [16] A I'd ask them their availability for the date that I [17] needed. I would say, "All right, you have three days. [18] You're going to receive the shipment on, say, the 14th, [19] and I want it out on the 20th."
 [20] Q And the shipment would come if from all the--
 [21] A Yes.
 [22] Q And you would send them a copy of the print order, the, [23] the mail house?
 [24] A Yes.
 [25] Q And that's how they would know what they need to do?

Page 43

[1] A Yes.
 [2] Q And then the mail house would invoice you later for [3] whatever costs were associated; correct?
 [4] A Right.
 [5] (Pause.)
 [6] THE WITNESS: Could I have five minutes to go to [7] the--
 [8] MR. LEVITT: Sure.
 [9] THE WITNESS: --ladies room? Thanks.
 [10] (Whereupon, a brief recess was held.)
 [11] BY MR. LEVITT:
 [12] Q Okay. You mentioned that you recognized participat --
 [13] is that correct? Membership list tape format--
 [14] A Yes.
 [15] Q --for several operations?
 [16] Okay. What is that?
 [17] A These are the different ways that you could supply [18] lists to us in order to address the mailing piece.
 [19] Q This is the mailing list you're referring to?
 [20] A Correct.
 [21] Q Okay. What is this document used for?
 [22] MR. LEVITT: This is DOJ-18766.
 [23] A Basic information for the DMCs.
 [24] Q Is this a document that the DMC would send to the non- [25] profit?

Page 44

[1] A No.
 [2] Q No? How would the non-profit know how to provide the [3] list?
 [4] A When the DMC is confirming the order, they say that we [5] can take your list and standard label, these different [6] formats.
 [7] Q Okay. And who would the non-profit send the list to?
 [8] A The DMC.
 [9] Q And what would the DMC do with the list?
 [10] A Put it on my shelf.
 [11] Q And what would you do with the list?
 [12] A Send it to the mail house.
 [13] Q Is there anything else the non-profit would provide to [14] the DMC to provide to you?
 [15] A No.
 [16] Q Is there anything else that the non-profit would [17] provide to you directly?
 [18] A No.
 [19] Q Is there anything else that the non-profit would [20] provide just to the DMC?
 [21] A I don't know.
 [22] Q In terms of doing the mailings themselves, what you [23] need from the non-profit is the mail list?
 [24] A Correct.
 [25] Q When you said that you recognized this page, this